HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Appeal No.384 of 2007
And
Writ Petition No.6561 of 2007

Writ Appeal No.384 of 2007

Between:

Bank of Baroda, represented by its Authorised Representative and Abids Branch, Hyderabad represented by its GPA holder. …Appellant

And

Ramesh Hanjraraj Parmar and others. …Respondents

Writ Petition No.6561 of 2007

Ramesh Hanjraj Parmar …Petitioner

And

The Debts Recovery Tribunal, Hyderabad and others. …Respondents.

:: J U D G M E N T ::

Counsel for the appellant/respondent No.2 : Sri A. Srinivasa Sarma

Counsel for respondent No.1/petitioner : Sri M. Papa Reddy

14th June, 2007

Per G.S. Singhvi, C.J.

This appeal is directed against interlocutory order dated 30-3-2007 passed by the learned Single Judge in WPMP.No.8397 of 2007 in Writ Petition No.6561 of 2007.

We have heard learned counsel for the parties and perused the record.

Although we have serious reservation on the very maintainability of the writ petition filed by respondent No.1, we do not consider it necessary to adjudicate that issue because at the hearing, Sri M. Papa Reddy, learned counsel for respondent No.1 made a request that his client may be permitted to withdraw the writ petition with liberty to avail remedy by filing application under Section 17(1) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'the Act'). Simultaneously, he made a prayer that the Court may direct the parties to maintain status quo, as it is obtaining today, for a period of ten days.

In our opinion, the request made by the learned counsel is reasonable and merits acceptance.

Hence, Writ Petition No.6561 of 2007 is dismissed as withdrawn with liberty to the petitioner to avail remedy by filing application under Section 17(1) of the Act. We also direct that the parties shall maintain status quo, as it is obtaining today, for a period of ten days from today.

As a sequel to disposal of the writ petition, the appeal filed by the bank and WAMP.No.733 of 2007 are disposed of as infructuous.

G.S. SINGHVI, CJ

14th June, 2007

C.V. NAGARJUNA REDDY, J

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